

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

TIMOTHY DAVIS AND HATEMA DAVIS,

Plaintiffs, Civil Action No. 15-cv-10547
v. Honorable Paul D. Borman
Magistrate Judge David R. Grand

CITY OF DETROIT, et al.,

Defendants.

/

**ORDER DENYING WITHOUT PREJUDICE PLAINTIFFS' MOTION TO COMPEL
THE DEPOSITION OF DETROIT POLICE CHIEF JAMES CRAIG [55]**

Before the Court is Plaintiffs' Motion to Compel the Deposition of Detroit Police Chief James Craig [55]. On February 9, 2016, the Court conducted an informal telephonic conference with counsel for Plaintiffs and counsel for the City of Detroit (who represents all Defendants other than Defendant Arthur Leavells)¹ to discuss the motion.

At issue is Plaintiffs' request to depose Chief Craig, and the City of Detroit's objection to that request, apparently "based on [Chief Craig's alleged] lack of personal involvement in the facts of this case." [55 at 7]. On the call, Plaintiffs' counsel agreed to first attempt to obtain the desired information from Chief Craig's subordinates, and to only raise the issue of Chief Craig's deposition if the subordinates were unable to provide the necessary discovery. The City of Detroit's counsel agreed with this approach, and the Court instructed counsel to work cooperatively to schedule the subordinate deposition(s) as soon as practicable.

Accordingly, **IT IS ORDERED** that Plaintiffs' motion to compel the deposition of

¹ The Court was under the impression that Leavells' counsel had declined to participate in the phone call, which was not surprising given the motion at issue concerned only Plaintiff's request to depose Detroit Police Chief James Craig. Apparently, however, Leavells' counsel was simply unaware of the call. Nothing was discussed other than the resolution of Plaintiff's motion as described herein.

Detroit Police Chief Craig [55] is **DENIED WITHOUT PREJUDICE**.

Dated: February 10, 2016
Ann Arbor, Michigan

s/David R. Grand
DAVID R. GRAND
United States Magistrate Judge

The parties' attention is drawn to Fed. R. Civ. P. 72(a), which provides a period of fourteen (14) days from the date of receipt of a copy of this order within which to file objections for consideration by the district judge under 28 U.S. C. §636(b)(1).

CERTIFICATE OF SERVICE

The undersigned certifies that the foregoing document was served upon counsel of record and any unrepresented parties via the Court's ECF System to their respective email or First Class U.S. mail addresses disclosed on the Notice of Electronic Filing on February 10, 2016.

s/Eddrey O. Butts
EDDREY O. BUTTS
Case Manager